MEMORANDU M

TO

Walter Byars

City Attorney

FROM:

Brenda Gale Blalock

City Clerk

DATE :

November 7, 2003

RE

Driver of Vehicle

Robert Andrew Wermuth

Claim Number

2003 0346

In reference to the above claim for the City of Montgomery, please find attached copy of the Alabama Uniform Traffic Accident Report and the Accident/Incident Worksheet showing the repair/replacement cost of \$2,444.34 for vehicle number 6210-0388.

l am forwarding for your action.

When money is received please deposit in the following account:

Police Dept Vehicle Acct. No. :

001-6210-731-24-01

Thank you.

BGB/thb

ATTACHMENTS



WALTER R. BYARS

CITY ATTORNEY attorney@ci.montgomery.al.us

KIMBERLY O. FEHL ASSISTANT CITY ATTORNEY kfehl@ci.montgomery.al.us

CHARLES ALI EVERAGE

ASSISTANT CITY ATTORNEY ceverage@ci.montgomery.al.us

November 12, 2003

Mr. Robert Wermuth 948 Garland Drive Montgomery, AL 36108

Re:

Claim for Property Damages to City Vehicle

Date of Incident: September 30, 2003

Claim Number: 2003-0346

Dear Mr. Wermuth:

This letter serves as the City of Montgomery's claim for property damages incurred as a result of a traffic accident that occurred on September 30, 2003. The enclosed Traffic Accident Report reflects that your vehicle struck a vehicle owned by the City of Montgomery and that you were at fault. The City of Montgomery is seeking reimbursement from you for property damages in the amount of \$2,444.34.

Please contact me to make arrangements for paying the bill. If you were insured at the time of the incident, please provide me with the name of your insurance company, policy number, and your agent's name and telephone number. If you were not insured, you may arrange to make regular payments to the City Clerk's Office until the amount is paid in full.

This letter is to notify you that if you do not contact us within ten (10) days of your receipt of this letter, the City will have no alternative but to initiate appropriate legal action.

Sincerely yours,

Walter R. Byars

WRB/alb

cc:

Brenda G. Blalock Jeff Downes Chief Wilson

Enclosure

	:	ny verv	Case 2	::0 5.70V+0 06	44 ¹ CSC'	Docum	ent 30-9	Filed 11	Accident No.	Page 3 c	of 13
	Da -	TO DEP	V. HAT	33 Sheet 1	of Sheet(5)	Microfilm Nu	ftural	Highw 1—k	ray Classification: sterstate S—State rederal C—County	M—Municipal P—Private Prop.	Local Zone
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:	in in	ersection Related	Sirent or Hoad Code		Minim ver	terchange 5 - Exit	Ramp Prime Contr	Prime Contr 45. Unit No 51. 52.	Pedal Cyclist Annual 65 - Guardrail 66 - Erash Cushinn 67 - Utility Pote 68 -	Colvert Headwall B Curbing B Hetaining Wall B Median Barrier B Sideslope B	1 - Breakaway Light 12 - Overnead Objert 14 - Bridge Abunnent 17 - Animat with finder 10 - Foreign Maierad in fload
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T NE			Apparently Asleep 4 Travel Road Name	HIII Ob =	Road	Code	Travel Direction N 16-5 W A-Not on F	1 .	99 License Tag Number 3AQ297X	State	State Year
M		Veh Year N 1989 Owner's Name	AKB-	AF 21A	GUR 6	IKL4540	Or- Attachment		Contributing Detect	AL	36 108 areas Damaged On Diagram
Н		MONT! Tube 1 Auto	11 - Maped	1) Clauma	Police 2	None - Explosive - Gas	None 2 - Mobile Home 3 - Semi Trailer	7 - Camper Trailer 8 - Towed Vehicle 9 - Tanker	1 - Brakes 2 - Steering 10	W. Shield - Restraint Sys. 8 - Wheels	· +
	VEHICLE	2 - StaWago 3 - Pick Up 4 - Van 5 - Truck Tr	13 - Pedal Cycle 14 - Farm Mach. actor 15 - Train	Paramedical	- Bus/Pass. 4	- Gas - Flam/Combust Liq. 5 - Flammable Solids 6 - Oxidizer/Peroxide	5 - 4-Wheel Trailer	10 - Pole Trailer 11 - Double Trailer 98 - Other	4 - Suspension 12 5 - Tires 6 - Exhaust 13	- Truck Coupling 3 - Cargo 4 - Fuel System	195 N/A
UNII	VEH	7 - Comm. 8 - School	uck 16 - Hoad Equip. Bus 17 - Ridden Anima Bus 18 - M. Home (R.V	98 Agriculture	- Other Placard	7 - Poison 8 - Radioactive Matl. 9 - Corrosive Material 18 - Other	Oversized Load (Req. Permit) Yes No (NA)	If Yes, Did Owner Have Permit? Yes No NA	A - Turn Signal 9	3 - Other 9 - Unknown matinipines in Holls	6 1 Attachment
		9 - Other B		9 - Wrecker/Tow Citation Offense Charg	and [Damage 1 - None Vis Deverity 2 Not Disa	bled	Yes (Ng)	? Occupants in Unit T	Ei In	nter Point of hitial Impact
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.EF		B Month Place of Er	<u> </u>	of Monta	METY-	Officer's Alcohol Opinion: Drugs:	Yes (No) Unk	Type Test 9-No	1 - Blood Test Test 2 - Breath Test	3 - Urine Test 4 - Unable to Administ Prime Harm Ev	ter 5 Retused Test Results
	NE	Driver/Pe Condition: Maneuver	٠٠٠.	Name H/// S	nknawn	Road Code	Travel Direction N ESW A-N		ther Contr Circumstance 44 License Tag Nur	17 1810	State Year NE
CO VE		Veli Year Owner's	Make FORCH	Model 40	OX Street or	-I N. ISLUIC	u St	1 141	Contributing to		Circle areas Damaged On Diagram
	2	Type D Au		tsage 1 - Personal 2 - Oriver Trng.	10 Police	Hazardous Cargo None 2 - Explosive	Attachment 1 None 2 - Mobile Hor 3 - Semi Traili	er 9-tanker	ehicle 1 - Brakes 2 - Steering	10 - Restraint Sys.	Under Carriage B 1
1	OR PEDESTRIAN	3 - Pi	k Up 13 - Pedal C	ycle 3 - Construction ach. 4 - Ambulance/ Paramedical		3 - 6 as 4 - Flam/Combi 5 - Flammable 6 - Oxidizer/Pe	ıst Liq. 4 - Utility Trai Solids 5 - 4-Wheel T	ler 10 - Pole Frai Frailer 11 - Double T er 98 - Other	railer 4 - Suspensi 5 - Tires 6 - Exhaust	on 12 - Truck Coupling 13 - Cargo	9 3 3
Г	OR P	7 - C 8 - S	her Truck 16 - Road E omm. Bus 17 - Ridden chool Bus 18 - M. Hon	Animat 6 - Taxi	rop. Placard	7 - Poison 8 - Radioactive 9 - Corrosive N	Dversized L (Reg. Pen	mit) Have Pe	rmit? 8 - Turn Sig	99 - Unknown	6 5
Ì	CLE C		O C	9 - Wrecker/T Spued Chatien Offens GMPH NGC	e Charged		one Visible 3 - Disab lot Disabled To Where:	Vehicle Tow	ed Away? Occupants in U	100	Enter Point of Initial Impact
	VEHICLE	} ¥	e Towell By Wilders	A	25 - Veh Pushed by P	Driver Maneuver	Alread 13 - Righ	Turn	63 - PedlCyc Ride Again Traffic oil Rd 64 - PedlCyc Ride Acros	Boari 03 - Walk in	nter—Intersection nter—Other Road—With Traffic Inaut—Against Traffic In Royeway
	1	01 - 10 02 - 10 03 - 1	nproper Passing nproper Lane Change/Usage 1 nproper Tum/U-Turn ollowing Tun Clase Arsjudge Stopping Eist	3 - Improper Driving-Environ 4 - Read Detect 5 - Vision Obstruction 6 - Detective Equipment 17 - OUT	26 - Veh Lett Hoad 27 - Oriver Not in Con 28 - Load Shilt 29 - Parts/Cargo from	02 - Pass on Le 03 - Pass on 1- 04 - Pass on Re n Veh 05 Go Straight 06 - Go Straight	Way Street 15 - U-Tu ght 16 - Star Left Turn Lane 17 - Star Fright Turn Lane 18 - Stor	urn rt trom Park rt in Trallic wing/Stopping pped in Trallic	65 - PedlCyc Hute in Bir 70 - Enter Parked Pusit 71 - Parked—Legally 72 - Parked—Illegally 81 - Backing	05 Stand II 06 - Get on/ 07 - Push/M 08 - In Road 10 - In-Road	n Hoadway Off Vehicle Vork on Vehicle 1—Other Work 3—Other 3—Other
		E 200 -	iver Speed tilm Ivand Object/Person/Veh Inseen Object/Person/Veh Ingroper Backing Inap Traffic Control		31 - Veh Wg(/Ng(/Ng 32 - Ped Doder Inlier y 33 - Megal/improper 97 - None 98 - Uther	ence OB - Change La	ell 21 - Exit GB - Per Right 61 - Per	aid Object in naad ing Private Road/Property RCyc Ride with Traffic in R RCyc Ride with Traffic off RCyc Ride Against Traffic i	pad B/ - Pushed by Lenza	uan († - Not in 98 - Other 99 - Unknov	Hoad
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S SEATING	Case 2.05-cv-00644 project [Carcle One] 12 Pedestrian 13 Rider of Domestic A 14 5 6 11 11 5 Victim of Other Circ Coties Not Applicat Other Invalved Salety Equipment	Animal 2 4 5 Leaf Vehicle Lumstance/ 2	12 - Pudestrian 13 - Rider of On 14 - Ucc. of Nor 15 - Victim of D	mestic Animal -Motorized Vehicle ther Circumstance / Applicable ent Sex Ejec First Aid By	J Nane Installed 15 - Nan Applicable 19 - Unknown (Any Type) 19 - Unknown (Any Type) 11 - Fastened 12 - Nal Fastened 13 - Nac Unity Used 12 - Neither Used 12 - Neither Used 13 - Lup Only Used 14 - Used 15 - Used 16 - Used 17 - Used 18 - Used 19 - Used 19 - Used 10 - Used 11 - Used 12 - Used 13 - Used 14 - Used 15 - Used 16 - Used 17 - Used 18 - Used 18 - Used 19 - Used 10 - Used 11 - Used 12 - Used 13 - Used 14 - Used
VICTIMS	Name Taken To Name	Address	Taken By		37 - Used Air Bags 41 - Hepluyed, Belts Used 42 - Nol Deployed, Belts Used 43 - Deployed, Belts Not Used 44 - Not Deployed, Belts Not Used Child Restraints
N/A	Taken To	Ejected A -	Taken By First Aid By Ambulance Attended Borton B - Other	P - Police U - Unknown	81 - Child Hestraint Used 82 - Other Restraint Used 83 - None Used Pedal Cycle/Pedestrian 81 - Contrasting Clothing 92 - Non-contrasting Clothing
CODES	A - Visible or Carried from Scene	- Not T - Trapped A - Fully U - Unknown B - Partially A - Not Applicable	Doctor D - Utner	N - None	92 - Wan-Editiasting Storming
NARRATIVE AND DIAGRAM	(Day 5t. >	attempting to jeft hand tur hick I then can't	Flee from ven		not which time colliect into
1 2 1 N/N	Unit 1 Construction Constructi	Slushy To Read Construction Zone? Yes Yes Yes Yes Yes Yes Yes Y	5 - Gravel 6 - Bil/Patrol 8 - Other 8 - Other 1	ment 2 2 Straight—Lev Vehicle 3 3 Straight—Bov Vehicle 4 4 Straight—Hil 5 5 - Curve—Level sing Lanes Separated By: 97 - None 1 - Paved Surface 2 - Unpaved Surface 3 - Broken Painted Line 4 - Solid Painted Line 5 Concrete Barrier 6 - Metal Guard Rail 7 - Fence	Trafficway Lanes 1 - One Lane 2 - Jwo Lanes 3 - Three Lanes 4 - Four Lanes 5 - Five Lanes 8 6 - Six Lanes or More
/MQX	6 6 - Curve in Road 16 16 - Snow on Windshield 7 7 - Fog 98 98 - Other 8 8 - Frankerl Vehicle 99 99 - Unknown	g g - mem anjo	Railroad Crossing No. 98	98 - Other Barrier	Yes Yes
	Light Weather 1 - Daylight 4 - Darkness — Road 2 - Cloudy 5 - Crosswind 3 - Bain 7 - Fog 3 - Dusk 5 - Darkness — Hoad Lit 4 - Snow 8 - Other	1 - Open Country 5 - School 7 Playground 2 School 6 - Playground 2 School 7 Playground 2 School 7 Playground 2 Mig. or Industrial	On-Vehicular Property Damage None Visible 3 - Moderate - Light 4 - Severe Dwner. Address	ion:	Telephone
TATELLE .	Witness Full Name	Address			Telephone
MULTA STATE STATE OF	Witness full Name Name of Investigating Officer Name of Other Investigating Officer(s) at Scene	Austra	Officer ID	Agency ORI	Supervisor Reviewed
	The data on this report reliects my best knowledgy, opinion and belief o	gvering the accident, but no warrant is made as $\mathcal{F}/\mathcal{J}\mathcal{G}\mathcal{G}$	to the factual accuracy thereof.		Bate <i>9/30/03</i>

Case 2:05-cv-00644-CSC Document 30-9 S Filed 11/14/2005 Page 5 of 13 ACCIDENT/INCIDENT WORKS Filed 11/14/2005

VEHICLE # 6210-0388 MAKE, YEAR & MODEL Ford 2001	UNIII 2 FAFP 7/WIIX137605
DATE OF A CCIDENT $9-30-03$ DATE BROUGHTE TO SHOP $9-30-03$	RETURNED TO SERVICE 10-8-03
SUMMARY OF COSTS: LABOR/MAN HOURS 32.00 Ars @ 1	35,00 = 1 1120,00
MATERIALS PARTS/SUBLET COSTS	\$_1374,34
WRECKER FEES	\$\$\$\$\$
VENDOR FEES TOTAL COST TO REPAIR VEHICLE	\$ <u>2444.34</u>

REMARKS:

CSC	Document 30-9	Filed 11/1
r3=Ekit r12=Cancel	£ 50	Equip/Reference/Desc Control/job order/system Discrepancy Type option, press Buter, 5=Display
	Part number/ Chg. 188148 17.90 10/08/03 pescription p p	REPAIR WRECK DAMAGE Cost Quantity cost

EM371IM1 pisplay Device. 5769881 VAR5MØ ØØØ526 CITY SHOPS DEPARTMENT Display Parts Transactions 388 / 6210-6388 / POLICE 332471 / 19 4366 BODY BEPAIR WRECK DAMAGE GARDS THOMAS CITYAGG PACKAGE B&W EXTERIOR 11/05/03 11/05/03

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Display Device

CITY SHOPS DEPARTMENT Display Parts Transactions

THOMAS

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Total cost

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Case 2:05-cv-00644-CSC

Document 30-9

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

PO DX 2013 ARC, JUA

IL 60507

NSA205880 CITY OF MONTGOMERY CITY SHOPS 934 RIPLEY ST. MONTGOMERY, AL 36109

INSURED:

MARTHA L HUMPHREY

CLAIMANT:

City Of Montgomery Cit y Shops

PAYMENT FOR SATISFACTION OF SUBROGATION CLAIM

FOR LOSS OF 09-30-03



J5 GI GI 0967087

MetLife Auto & Home

0893

Check Number

1-2/210

PO BOX 2013 AURORA

IL 60507

PAYMENT FOR SATISFACTION OF SUBROGATION CLAIM FOR LOSS OF D9-30-03

Glaim No

002385556 Not Valid Before 07-29-2005

Pay to the Order of:

CITY OF MONTGOMERY CITY SHOPS 934 RIPLEY ST.

NSA205880

Void Nine (9) Months After This Date Amount

***\$2,444.34

MONTGOMERY, AL 36109

JP Morgan Chase Bank One Chase Manhattan Plaza New York, NY 10081

SENIOR VICE PRESIDENT AND TREASU